OUPS Committee Election Rules 2023

**Why do we have election rules ?**

 According to the Charity Commission "Responsibility for the recruitment of new trustees rests firmly with the existing trustees [who] must oversee the management of an open and efficient process and always act in the best interests of the charity".

These rules help us as Trustees to ensure that the process and the implications of becoming an OUPS Committee Member are clear to all prospective candidates, in line with the OUPS Constitution which can be found on the [OUPS website](https://www.oups.org.uk/)

**1. Committee members as Trustees**

1.1 Following Charity Commission guidance all elected OUPS committee members automatically become Trustees of the charity.

1.2 If you are considering standing for election to the OUPS Committee please read [the Charity Commission's guidance](https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3) or take any additional advice necessary to be sure that you are comfortable taking on the responsibilities (financial and actual) of becoming a Charity Trustee.

In fulfilling the role of a charity Trustee, each Trustee, strictly speaking in law:

* has personal responsibility for the debts and liabilities of the charity;
* has a share in the legal title to the charity's assets;
* is named in contractual documentation (e.g. employment contracts) of the charity;
* can be sued in the event of any litigation against the charity.

Please note that OUPS have insurance to cover Trustee liability.

**2. Election of the Committee**

2.1. Committee members hold their positions for 2 years and therefore not all roles are up for election. At the 2023 AGM elections will be held for the Officer positions of **Vice** **Chair and Secretary** if there is more than one nomination for either of these. Otherwise, if there is only one nominated person for either of these positions they will be deemed to be duly elected to that position.

2.2 If there are three or less nominations for **three Ordinary Committee** roles required for the coming year (see below) the nominees shall be deemed to be duly elected as un-contested. An election will be held if there are more than three nominations for these Ordinary Committee roles.

2.3. Only current OUPS members can be nominated

2.4 A member may not stand for more than one role on the Executive Committee and must be nominated for a single specific role (i.e. Vice-Chair, Secretary or Ordinary Committee Member).

**3. Committee Roles and Nominations**

3.1 **Three Ordinary Committee members** are required to support the programme of work planned for the year ahead by the current OUPS Committee.

Ordinary Committee members carry out various roles, including organising our weekends, attending weekends as facilitators, running our book stall, publicising our events and many others. We would be very interested to discuss your interests and skills beforehand if you would like to consider running for election to help us in any of these areas and want to find out more.

Up to three additional Ordinary Committee members may be co-opted by the incoming Committee as required, as described in the OUPS Constitution. These are not Trustees of the charity unless by agreement but otherwise are full Committee members.

3.2 While the incoming Committee is free to decide to change the work planned and hence the roles required, this must clearly take into account the contracts that the outgoing Committee has entered into with our suppliers for the year ahead and the skills of the committee members.

3.3 The name of any member accepting nomination for election as an Officer or as an Ordinary Committee member must be submitted in writing to the Returning Office (irene@oups.org.uk) by the time specified in the schedule below. Each nomination must be made by two members of the Society and must have the written consent of the nominee. The nomination must be accompanied by a short personal statement by the nominee to be communicated to members in the case of the need for an election.

3.4 Candidates may withdraw from the election process at any time by notifying the Returning officer (irene@oups.org.uk) in writing. Any votes cast for the candidate at that time will be cancelled and may not be re-cast.

**4. Returning Officer**

4.1 The OUPS Student Support Officer (Irene Baumgartl, [irene@oups.org.uk](mailto:irene@oups.org.uk)) will act as Returning Officer for any election that is required and will be the sole point of contact for any questions regarding the election process.

**5. Eligibility**

5.1 The Charity Commission monitors whether or not charities are checking the eligibility of their trustees. Consequently, it is important that by standing for election to the OUPS Executive Committee you agree that if elected you:

* are willing to act as a Trustee of OUPS (see ‘Committee Members as Trustees’ above);
* understand the purposes (objects) and rules set out in the OUPS Constitution;
* are not prevented from acting as a trustee because you:
  + have an unspent conviction for an offence involving dishonesty or deception
  + are currently declared bankrupt (or subject to bankruptcy restrictions or an interim order)
  + have an individual voluntary arrangement (IVA) to pay off debts with creditors
  + are disqualified from being a company director
  + are subject to an order made under section 429(2) of the Insolvency Act 1986
  + have previously been removed as a trustee by The Charity Commission, the Scottish charity regulator or the High Court due to misconduct or mismanagement
  + have been removed from management or control of any body under section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005 (or earlier legislation)
  + are disqualified from being a trustee by an order of the Charity Commission under section 181A of the Charities Act 2011

**6. Electioneering**

6.1 Candidates will have the opportunity to have a personal statement displayed on the OUPS election website. These must be submitted in MS Word or PDF format to the Returning Officer (Irene Baumgartl, [irene@oups.org.uk](mailto:irene@oups.org.uk) ) by the time specified in the schedule below. Personal statements may contain a photo of the candidate if wished but this is not obligatory.

6.2 In line with the strong feedback from our members and from others who use our Facebook pages, no electioneering will be allowed on any Facebook pages administered by OUPS. Any posts referencing the election other than those promoting the election itself (e.g. advising of the schedule or location of the election information) will be removed by the administrators.

**7. Calendar**

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| **Date/time** |  |
| 27/08/2023 | Notification of AGM via email/website with details of how to nominate for committee places |
| 10/09/2023  10.00am | Deadline for nominations and personal statements and proposed motions |
| 10/09/2023  10.00am | New member cutoff - members joining after this time are not eligible to vote |
| 25/09/2023  9.00am | Online voting opens, emails sent to all eligible members with link to voting site |
| 16/10/2023  9.00am | Voting closes |
| 17/10/2023 | AGM - announcement of results |